THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No.20169 of 2007

And

W.P. No. 19318 of 2007

Date:09-10-2007

W.P. No.20169 of 2007

Between:

Kakkirala Ramesh and ten others

.. PETITIONERS

AND

The District Collector, Karimnagar and two others

..

RESPONDENTS

W.P. No.19318 of 2007

Between:

Nagapuri Yella Goud and two others

.. PETITIONERS

AND

The District Collector, Karimnagar and two others

..

RESPONDENTS

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COMMON ORDER:

The petitioners herein seek a writ of mandamus to declare the action of the respondents in interfering with the possession of their lands situated at Guggilla village, Bejjanki madnal, Karimnagar District without following due process of law, as illegal and arbitrary.

It is the case of the petitioners that they have purchased various extents of lands in different survey numbers mentioned in the affidavit filed in support of the writ petitions situated at Guggilla village, Bejjanki mandal, Karimnagar District by various registered sale deeds in the year 2006 from their vendor M/s. I.M.L. Seeds Private Limited. It is stated that the said M/s. I.M.L. Seeds Private Limited was holding the said extent of lands mentioned in the affidavits filed in support of the writ petitions and the Land Reforms Tribunal and Revenue Divisional Officer, Karimnagar vide proceedings No.CC.No.KNR/1/1998, dated 30.07.1998 held that the said land held by the vendors of the petitioners and its members do not exceed the ceiling limits under A.P. Land Reforms (COAH) Act. It is stated that the said order has became final and against the said order, an appeal has been filed by the revenue authorities with a delay of 3138 days and it is pending. While so, without following due procedure prescribed under law, the revenue authorities have been making an attempt to interfere with the possession and enjoyment of the said lands of the petitioners.

I am not inclined to express any opinion with regard to the rival

contentions of both parties. But, however, I am of the opinion that the respondents cannot interfere with the peaceful possession and enjoyment of the lands of the petitioners without following due process of law.

Accordingly, both the writ petitions are disposed of directing the respondents not to interfere with the possession of the petitioners over the said lands mentioned in the memorandum of the writ petitions without following due procedure prescribed under law. No costs.

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V.ESWARAIAH, J.

Date:09.10.2007.
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